S.B.Criminal Misc. Petition No. 346/2005

(Bherulal Vs. State of Rajasthan and Anr.)

Date of order : 04.07.2006

HON'BLE MR.H.R.PANWAR,J.

Mr. R.K.Charan for the petitioner.

Mr. Ashok Upadhyay, public prosecutor.

Mr. Dilip Kawadia for the non-petitioner No.2.

Heard learned counsel for the parties.

The grievance of the petitioner is that while admitting the appeal filed by the petitioner against his conviction and sentence awarded by the Judicial Magistrate, Dungla vide judgment and order dated 05.02.2005, the substantive sentence was suspended by the appellate court but declined to suspend the sentence of fine. The appeal was filed in the year 2005. There could be no reason why the appeal has not been heard by the appellate court till date. Without interfering in the order impugned, it is appropriate to direct the appellate court to hear and dispose of the appeal itself utmost expeditiously.

Consequently, the misc. petition is disposed of. The appellate court is directed to hear and dispose of the appeal filed by the petitioner against judgment and order dated 5.2.2005 passed by Judicial Magistrate, Dungla in Criminal Case No.192/2003 utmost expeditiously.

(H.R.PANWAR), J.

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